

### **REMARKS**

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for indicating that claim 15 contains allowable subject matter and that claim 20 has been held as allowable. The rewriting of claim 15 into independent form has been deferred at this time.

#### **I. Disposition of Claims**

Claims 1, 2, 4-17, and 20 were pending in this application. Claims 1, 17, and 20 are independent. Claims 5 and 6 have been cancelled by this reply. Additionally, claims 1 and 17 have been amended to include the limitations of claims 5 and 6. The remaining claims depend, directly or indirectly, from claim 1. No new matter is introduced by these amendments.

#### **II. Objection(s)**

The drawings were objected to for failing to provide descriptive textual labels for each of the referenced elements. Figure 1 has been amended with respect to the above objection. Accordingly, withdrawal of this objection is respectfully requested.

#### **III. Rejection(s) under 35 U.S.C § 102**

Claims 1, 2, 4, 5, 7-12, 16, and 17 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,163,316 ("Killian"). Claim 5 has been cancelled in this reply. Thus, this rejection is now moot with respect to claim 5. Claims 1 and 17 have been amended in this reply to clarify the present invention recited. To the extent

that this rejection may still apply to the amended claims, the rejection is respectfully traversed.

As previously mentioned, claims 1 and 17 have been amended to include the limitations of claims 5 and 6. The Examiner acknowledges that Killian does not disclose that “the user profile data includes priority data indicating a priority of the user with respect to access to the resources of the terminal and the external device,” as recited in claim 6. *See* p. 7 of Office Action, section 7.

Because Killian does not disclose all the elements of claims 1 and 17 as amended, claims 1 and 17 are patentable over Killian. Claims 2, 4, 7-12, and 16, being dependent, are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

#### **IV. Rejection(s) under 35 U.S.C § 103**

##### ***Killian and Reed***

Claim 6 was rejected under 35 U.S.C. § 103(a) as being obvious over Killian in view of U.S Patent No. 5, 862,325 (“Reed”). Claim 6 has been cancelled in this reply. Thus, this rejection is now moot with respect to this claim.

However, claims 1 and 17 have been amended to include the limitation of claim 6. To the extent that this rejection may still apply to the amended claims, the rejection is respectfully traversed.

As recited in amended claim 1, the present invention relates to a terminal for processing digital audio-visual or multimedia data. The terminal includes a data processing system and a memory. The data processing system stores a plurality of user

profiles in the memory. Each user profile includes user profile data related to characteristics or references of a user of the terminal. Additionally, the user profile data includes resource data and priority data. The resource data indicates resources within the terminal that are accessible by the user, and the priority data indicates a priority that the user has with respect to accessing the resources of the terminal and the external device. For example, in one or more embodiments, a terminal of the present invention provides different resources and external devices to different users using resource data and “negotiates” the users’ access to the provided resources and external devices using priority data.

As previously discussed, Killian is silent to the user profile data including priority data that indicates a priority of the user with respect to access to the resources of the terminal and external devices. Moreover, Reed fails to provide that which Killian lacks. Reed generally relates to a communication system that operates to transfer data to metadata from a provider computer to a consumer computer through a network.

In particular, the Examiner quotes the following with respect to Reed showing the use of priority data.

As in any multiuser database, simultaneous editing of the same data field or record by different users can result in conflicts. Many multiuser database record locking data conflict resolution techniques have been developed to solve this problem, including rules based on time precedence, user priority, data types, and so on. This is referred to as concurrency control. In a multiuser communications object system database 100, concurrency control can be applied using concurrency elements 143, concurrency methods 141, and concurrency rules 140 (col. 130, ll. 52-57).

In the above, Reed discusses concurrency issues that occur when many users on a computer network access a central database. Concurrency in this context relates to maintaining the integrity of data located in the database. Reed, however, is silent to assigning a priority value to provide access to resources and external devices. Claims 1 and 17 as amended require that the user profile includes priority data indicating a priority of a user with respect to accessing the resources of the terminal and the external device. Reed does not show or suggest priority data for access to resources (*i.e.*, particular functionality) of the terminal (*e.g.*, an integrated receiver/decoder). Further, Reed does not show or suggest priority data for access to the external device (*e.g.*, a television, a VHS recorder, or a networked computer, *etc.*) Reed relates to assigning priority to computer users accessing the same field of data or record in a database.

Furthermore, there is no motivation to combine Reed with Killian. As discussed above, Reed relates to a communication system for coordinating the transfer of data, metadata, and instructions between databases, whereas Killian relates to a field of television viewing and recording (col. 1, ll. 12 and 13 of Reed; col. 1, ll. 6 and 7 of Killian). In other words, one of ordinary skill in the art would not be motivated to combine these references as their teachings relate to different fields and do not seek to solve similar problems.

Because Reed fails to provide that which Killian lacks with respect to claims 1 and 17 as amended, claims 1 and 17 are patentable over Killian and Reed, whether considered separately or in combination. The remaining dependent claims are likewise patentable for at least the same reasons. Accordingly, withdrawal of this rejection is

respectfully requested.

***Killian and Applicant's Admitted Prior Art***

Claims 13 and 14 were rejected under 35 U.S.C. § 103(a) as being obvious over Killian in view of Applicant's Admitted Prior Art ("AAPA"). Claim 1, from which claims 13 and 14 depend, have been amended in this reply. As discussed above, claim 1 has been amended to include the limitation of claim 6. Applicant asserts that any prior art presented in the present application does not show or suggest priority data indicating a priority of the user with respect to access to the resources of the terminal and the external device. Thus, the AAPA does not show or suggest all of the elements of the amended claim 1.

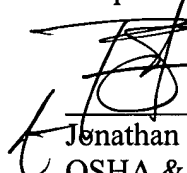
Because the AAPA fails to provide that which Killian lacks, claim 1 is patentable over Killian and AAPA, whether considered separately or in combination. Thus, claims 13 and 14, being dependent on claim 1 directly or indirectly, are likewise patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

#### IV. Conclusion

The above remarks are believed to require no further prior art search. Also, Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Because the remarks simplify the issues for allowance or appeal, and do not constitute new matter, entry and consideration thereof is respectfully requested. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 11345/026001).

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Respectfully submitted,

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